

REMARKS

Claims 15-29 are pending. Claims 1-14 and 30-62 are cancelled without prejudice or disclaimer. The office action is discussed below.

Withdrawal of the Objections and Rejections

Applicants thank the Examiner for withdrawal of all outstanding objections and/or rejections in view of the arguments and/or amendments submitted.

New Rejections under 35 USC § 102

On pages 2-7 of the office action, the Examiner has rejected claims 15-29 under 35 USC § 102(b) and alleged as being anticipated by U.S. Patent No. 4,053,433 (Lee) as evidenced by US Published Application No. 2003/0008323 A1 (Ravkin).

Applicants respectfully disagree with the Examiner's view of Lee in combination with Ravkin and submit the following:

Lee disclosure is directed towards a method of tagging individual production lots with colored microparticles (see Lee, col. 1, lines 5-11). For example, the microparticles may be used as a coding system to monitor quality control of batches of grains or animal feeds, and therefore protect against product tampering and dilution. The Examiner alleges that the colored microparticles of Lee can be considered to be a plurality of detectably distinct carriers. Further, the Examiner contends that the colored particles of Lee are inherently suitable for the preparation of compounds thereon. In response, applicants elaborate that the Lee method provides batches of microparticles and each batch is different from another. At no stage are these separate batches of colored microparticles mixed to provide a plurality of detectably distinct colored microparticles. Thus, the Examiner's allegation that Lee discloses a plurality of detectably distinct colored microparticles is erroneous. As explained above, the purpose of the microparticles of Lee to provide a unique code system for a given production lot of which monitoring is

desired. As such, a population of identical beads is required to be associated with a given production lot.

The Examiner also alleges that the microparticles of Lee are well suited for the tagging of chemicals, and refers to a passage at column 5, line 58-60 of Lee. Applicants respectfully disagree and submit that the Examiner has taken this passage out of context. Applicants explain, it is apparent that "tagging of chemicals" does not mean covalent bonding of a library or an individual chemical to a particular bead, or the synthesis of a library or compound thereon. Rather, the "tagging of chemicals", as used by Lee, refers to a method of uniquely identifying a particular production run, such as a collection of grain sacks, of a substance by incorporation of a tag into the packaging of that substance. Applicants refer to the examples in Lee that describes particular production run of a bulk chemical. This reference clearly has no relevance whatsoever to organic synthesis on microparticles. See, Lee Examples 1-4, Col. 6 line 53 to col. 8, line 47.

Therefore, Lee disclosure is not relevant to the claimed invention and cannot be anticipatory.

The Examiner believes that the particles of Lee may be used as "taggants", as disclosed in Ravkin, to which library compounds are attached (see Ravkin, paragraphs [0116] and [0143]). Thus, the Examiner interprets the above attachment as if the compounds are chemically conjugated to taggants. Applicants respectfully disagree and point out that there is neither teaching nor suggestion in either Lee or Ravkin as to how this can be accomplished. Applicants further state that the Examiner's interpretation is even more inconceivable given the disclosure that the particles of Lee are not appropriate for synthesis of different compounds as required by the claims, but rather are for production control of animal feeds and grain, which is an environment where compound synthesis is not contemplated or performed.

In view of above facts and arguments, applicants submit that the cited references, whether alone or in combination, do not anticipate the claimed inventions. Therefore, withdrawal of the anticipation rejection is solicited.

REQUEST

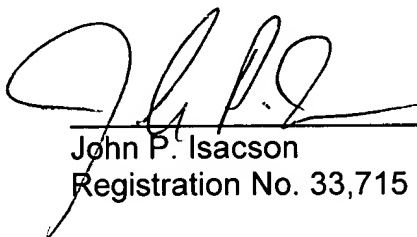
Applicants submit that the claims are in condition for allowance, and respectfully request favorable consideration to that effect. The examiner is invited to contact the undersigned at (202) 912-2000 should there be any questions.

Respectfully submitted,

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Date

HELLER EHRMAN LLP
1717 Rhode Island Avenue, NW
Washington, DC 20036
Telephone: (202) 912-2000
Facsimile: (202) 912-2020
Customer No. 26633



John P. Isacson
Registration No. 33,715